

## CITY OF CAMBRIDGE

### **AMENDED TEMPORARY EMERGENCY ORDER REQUIRING THE WEARING OF MASKS OR CLOTH FACE COVERINGS IN ALL PUBLIC PLACES, BUSINESSES, AND IN COMMON AREAS OF RESIDENTIAL BUILDINGS** **AMENDED ON MAY 25, 2020**

**This Amended Emergency Order Replaces and Supersedes all Prior Versions**

**WHEREAS**, the 2019 Novel Coronavirus ("COVID-19") is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

**WHEREAS**, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

**WHEREAS**, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

**WHEREAS**, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

**WHEREAS**, on March 15, 2020, Governor Baker issued an emergency Order (the "March 15, 2020 Order") to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020; and

**WHEREAS**, on March 23, 2020, Governor Baker issued an Order (the "March 23, 2020 Executive Order") limiting gatherings of more than ten people in the Commonwealth and ordering businesses, other than those that provide COVID-19 essential services as defined in the March 23, 2020 Executive Order as amended ("COVID-19 Essential Businesses"), to close their brick and mortar operations and operate only by remote means; and

**WHEREAS**, the Cambridge Commissioner of Public Health and the Cambridge City Manager, in consultation with the Massachusetts Department of Public Health have determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of the City of Cambridge, and on March 19, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager declared that a state of emergency exists in the City of Cambridge (the "State of Emergency"); and

**WHEREAS**, on March 31, 2020, Governor Baker issued an Order extending the March 23, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 4, 2020; and

**WHEREAS**, on April 10, 2020, the Massachusetts Department of Public Health issued an Advisory stating that the wearing of a face covering may help prevent the spread of COVID-19 by individuals who are infected, including those who show no signs of illness; and

**WHEREAS**, on April 28, 2020, Governor Baker issued an Order extending the May 4, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 18, 2020;



**WHEREAS**, on May 1, 2020, Governor Baker issued an Executive Order requiring any person over the age of two to cover their mouth and nose with a mask or cloth face covering in places open to the public in the Commonwealth, whether indoor or outdoor, at all times when such person is unable or does not maintain a distance of six feet from others, except where a person is unable to wear a mask or cloth face covering due to a medical condition or where the person is exempted under Massachusetts Department of Public Health Guidance; and

**WHEREAS**, on May 18, 2020, Governor Baker's Administration released a plan entitled "Reopening Massachusetts" pursuant to which previous restrictions on business operations will be relaxed in phases, with Phase 1 beginning on Monday, May 18, 2020;

**NOW THEREFORE**, the Cambridge Commissioner of Public Health and the City Manager hereby order (the "Emergency Order") as follows:

1. Each person over five years of age or older shall wear a mask or cloth face covering which covers both the mouth and nose at all times when in public, including, without limitation, when on, in, or about sidewalks, streets, parks, plazas, bus stops, non-residential parking lots and garages, and any other outdoor area or non-residential parking facility which is open and accessible to the general public ("Public Areas").
2. Any person five years of age or older, including employees of businesses, entering any business open to the public, including, without limitation, grocery stores, supermarkets, pharmacies, laundromats, dry cleaners, hardware stores, restaurants, cafes or similar establishments where prepared foods, meals or beverages may be purchased, local government buildings, commercial office buildings, industrial buildings, construction sites, repair garages, and equipment or vehicle storage yards and garage bays (hereinafter, "Places of Business") shall wear a mask or a cloth face covering which covers both the mouth and nose prior to entering such Place of Business and continuously during the time the person is in the Place of Business. Employees of Places of Business may remove masks or cloth face coverings in circumstances where a distance of at least six feet from others will be maintained at all times, such as, when working alone in an office, room, cubicle, work station, or other locations in a Place of Business where it is possible for the employee to maintain a distance of at least six feet from others at all times. All Places of Business shall post signage at entrances to buildings informing the public that masks or cloth face coverings must be worn at all times within or about the premises of the Place of Business.
3. All Places of Businesses shall maintain additional measures to reduce the spread of COVID-19, including, providing disposable gloves, hand sanitizer, and disposable masks or cloth face coverings to all employees, requiring employees to wash hands, even where gloves are worn in industries where the wearing of gloves is required or recommended, with soapy water at regular intervals (every thirty minutes) and providing handwashing stations for that purpose, requiring employees to maintain a distance of six feet at all times practicable, screening employees for symptoms of COVID-19 prior to allowing them on work sites, and ordering sick employees to stay at home. Employees who recovered from symptoms of COVID-19 shall not return to work until they have met the CDC's guidelines for ending home isolation posted at: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/ending-isolation.html>. Places of Businesses shall follow the Massachusetts Department of Public Health's "Safety Practices for Non-Healthcare Essential Service Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19" issued on April 14, 2020 and posted at: <https://www.mass.gov/doc/non-healthcare-essential-service-worker-covid-19-exposure-guidance/download>.



4. In addition to the above-enumerated requirements, Places of Business which are retail establishments must limit the number of customers and staff inside the establishment at any given time so that social distancing of six feet may be maintained and must establish maximum occupancy loads of forty percent of the maximum allowable occupancy of the establishment in order to allow for such social distancing of six feet within the establishment in accordance with the Guidance for Grocery Stores and Local Boards of Health issued by the Massachusetts Department of Public Health on April 7, 2020 and posted at: <https://www.mass.gov/doc/order-grocery-stores-40-percent/download>. Maximum occupancy shall be posted at each entrance to the establishment and shall be readily visible to members of the public. An employee of the retailer shall be designated to ensure the maximum number of individuals inside of the store is not exceeded. Customers queued outside of the store must maintain a minimum of six feet distance. In addition, all Essential Retail Establishments shall take any and all steps necessary to follow the Guidance for Grocery Stores issued by the Massachusetts Commissioner of Public Health on March 25, 2020 and posted at <https://www.mass.gov/doc/march-25-2020-pharmacy-grocery-order>.
5. In residential buildings consisting of at least two dwelling units ("Residential Buildings"), any person entering without limitation, any lobby, hallway, elevator, stairwell, laundry room, garage or parking lot, walkway, yard and other common outdoor areas, or any other indoor or outdoor areas in or about a Residential Building which are accessible to more than one dwelling unit (collectively, "Common Areas") of that Residential Building shall maintain a distance of at least six feet from any other person in said Common Areas, or if a distance of at least six feet cannot be maintained, shall wear a mask or cloth face covering which covers both the mouth and nose at all times while in such Common areas, except that these requirements shall not apply to any person under the age of two years old, and individuals who are in the company of others who live in the same household. Individuals who are caring for a child or a disabled or elderly person and do not share the same household with such child or disabled or elderly person shall be required to wear a mask or cloth face covering while caring for such person, but shall not be required to maintain a distance of six feet from such person. Residential Buildings shall post signage at entrances and in or about Common Areas informing all residents and other individuals that the above requirements must be met at all times while in or about such Common Areas.
6. The Cambridge Public Health Commission may issue guidance consistent with the provisions of this Emergency Order.

This Emergency Order shall not apply to anyone under the age of five years old, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance, anyone with a disability or medical condition for whom wearing a mask is not recommended by their healthcare professional, and/or any other person exempted by Massachusetts Department of Public Health guidelines.

This Emergency Order shall take effect at midnight (12:00 AM) on Tuesday, May 26, 2020 and shall remain in effect until further notice or until the declaration of a State of Emergency in the City has been rescinded.

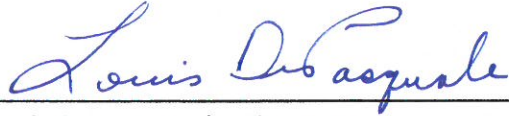
Any person found to be in violation of this Emergency Order may be issued a warning or may be issued a violation notice with a fine of three hundred dollars (\$300). The person to whom a violation notice has been issued pursuant to this Emergency Order may pay the fine within 21 days of the date the violation notice was served, or within 21 days of the date the violation notice was served, may contest the matter by requesting a noncriminal hearing by mailing a copy of the violation notice to: Clerk Magistrate, Cambridge District Court, 4040 Mystic Valley Parkway, Medford, MA 02155. G. L. c. 111 §§ 30, 95-105, and 122; 310 CMR 11.05 et seq., 105 CMR 300.200; St. 1950, c. 639; G. L. c. 40, § 21D; and Cambridge Municipal Code c. 1.24, § 1.24.030.

Dated: May 25, 2020

By:



Assaad J. Sayah, MD, Commissioner of Public Health



Louis A. DePasquale, City Manager